



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/877,990	06/08/2001	Jeremy Fitzhardinge	04259P015	1720

7590 02/09/2005

Thomas C. Webster
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER	
PERUNGAVOOR, VENKATANARAY	
ART UNIT	PAPER NUMBER

2132

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/877,990

Applicant(s)

FITZHARDINGE ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

Art Unit: 2132

DETAILED ACTION

Claim Objections

1. Claim 4 objected to because of the following informalities: On Line 4 the Applicant recites "osf", the examiner believes the Applicant meant "of". Appropriate correction is required.

Claim Rejection – 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 21 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Applicant discloses "doubly-indirect block", one with ordinary skill in the art can not understand what is meant by that term.

Claim Rejections – 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2132

5. Claim 1-36 rejected under 35 U.S.C. 102(e) as being anticipated by Perlman U.S.

Publication 2002/0116705 A1.

6. Regarding Claim 1,

“receiving a broadcast signal containing a plurality of encrypted multimedia channels”

[see Figure 15 item 1100 & item 1101 & Paragraph 005]

“storing said encrypted multimedia channels in a first hard drive partition” **[see Figure 5 item 445 & item 446]**

“decrypting one or more of said encrypted multimedia channels to generate one or more decrypted multimedia channels” **[see Figure 5 item 170 & item 171]**

“storing said decrypted multimedia channels to a second hard drive partition” **[see Figure 5 item 460]**

7. Regarding Claim 2, The “first hard drive partition is optimized for writing data” **see Paragraph 0030.**

8. Regarding Claim 3, The “writing a first amount of multimedia data equivalent to a block from each of said 1 through N multimedia channels to each of a first N consecutive blocks in said first hard drive partition, respectively” **see Figure 5 item 445 & item 446 & Paragraph 0030.**

Art Unit: 2132

9. Regarding Claim 4, The “writing a second amount of multimedia data equivalent to a block from each of said 1 through N multimedia channels to each of a second N consecutive blocks in said first hard drive partition, respectively, said second N consecutive blocks being the next N consecutive blocks following said first N consecutive blocks” **see Figure 5 item 460.**

10. Regarding Claim 5, The “selecting a non-consecutive block if one of said first or second N consecutive blocks are unavailable” **see Paragraph 0056.**

11. Regarding Claim 6, The “non-consecutive block is selected because jumping to said non-consecutive block will require relatively less seek time when compared with all other non-consecutive blocks” **see Paragraph 0057.**

12. Regarding Claim 7, The “second hard drive partition is optimized for reading data” **see Paragraph 0063.**

13. Regarding Claim 8, The “reading and decoding one or more of said multimedia channels from said second hard drive partition responsive to a user request to view said one or more multimedia channels” **see Paragraph 0033.**

14. Regarding Claim 9, The “decoding comprises MPEG2 decoding” **see Paragraph 0051.**

15. Regarding Claim 10, The “demultiplexing said multimedia channels prior to storing said decrypted multimedia channels to said second hard drive partition” **see Paragraph 0039.**

16. Regarding Claim 11, The “writing a first amount of multimedia data equivalent to a block from each of said 1 through N multimedia channels to each of a first N consecutive blocks on a first hard drive partition on said mass storage device, respectively” **see Figure 5 item 460.**

17. Regarding Claim 12, The “writing a second amount of multimedia data equivalent to a block from each of said 1 through N multimedia channels to each of a second N consecutive blocks in said first hard drive partition, respectively, said second N consecutive blocks being the next N consecutive blocks following said first N consecutive blocks” **see Figure 5 item 501 and item 502.**

18. Regarding Claim 13, The “selecting a non-consecutive block if one of said first or second N consecutive blocks are unavailable” **see Paragraph 0055.**

19. Regarding Claim 14, The “non-consecutive block is selected because jumping to said non-consecutive block will require relatively less seek time when compared with all other non-consecutive blocks” **see Paragraph 0057.**

20. Regarding Claim 15, The “pre-allocating metadata identifying each of said N multimedia channels stored on said mass storage device before writing said first amount of multimedia data for each of said 1 through N multimedia channels” **see Paragraph 0034.**

21. Regarding Claim 16, The “estimating an amount of storage space which programs from each of said multimedia channels will consume; and pre-allocating an amount of metadata sufficient to identify said amount of storage space” **see Paragraph 0034 & Figure 6.**

22. Regarding Claim 17, The “metadata comprises an I-node and one or more indirect blocks” **see Figure 7.**

23. Regarding Claim 18, The “pre-allocating metadata to consecutive blocks on said mass storage device before writing said data” **see Paragraph 0034.**

24. Regarding Claim 19, The “estimating an amount of storage space which said data will occupy; and pre-allocating an amount of metadata sufficient to identify said amount of storage space” **see Paragraph 0034.**

25. Claim 20 is rejected under the same rationale as Claim 17 above.

26. Regarding Claim 22, The “a block allocation module to interleave multimedia content from each of said multimedia channels in successive blocks on a mass storage device” **see Figure 12 item 1210.**

27. Regarding Claim 23, The “pre-allocation logic for pre-allocating metadata identifying said multimedia content before said multimedia content is stored on said mass storage device” **see Paragraph 0034.**

28. Regarding Claim 24, The “estimating an amount of storage space which said multimedia content will occupy, and pre-allocating an amount of metadata sufficient to identify said amount of storage space” **see Paragraph 0034.**

29. Regarding Claim 25, The “metadata comprises an I-node and one or more indirect blocks” **see Figure 7.**

30. Regarding Claim 26, The “storing said encrypted multimedia channels in a first hard drive partition” **[see Figure 5 item 445 & item 446]**

“decrypting one or more of said encrypted multimedia channels to generate one or more decrypted multimedia channels” **[see Figure 5 item 170 & item 171]**

“storing said decrypted multimedia channels to a second hard drive partition” **[see Figure 5 item 460]**

- 31. Claim 27 is rejected under the same rationale as Claim 2 above.
- 32. Claim 28 is rejected under the same rationale as Claim 3 above.
- 33. Claim 29 is rejected under the same rationale as Claim 4 above.
- 34. Claim 30 is rejected under the same rationale as Claim 5 above.
- 35. Claim 31 is rejected under the same rationale as Claim 6 above.
- 36. Claim 32 is rejected under the same rationale as Claim 7 above.
- 37. Claim 33 is rejected under the same rationale as Claim 8 above.
- 38. Claim 34 is rejected under the same rationale as Claim 9 above.
- 39. Claim 35 is rejected under the same rationale as Claim 10 above.
- 40. Regarding Claim 36, The "first hard drive partition is on a first hard drive and said second hard drive partition is on a second hard drive" **see Figure 5 item 460 & item 445 & item 446.**

Conclusion

- 41. The following patents are cited to further show the state of art in general:

U.S. Patent Publication No. 2004/0090466 A1 to Loveria

- 42. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
2/3/05


GILBERTO BARRÓN JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100